



State of  
**North Dakota**  
*Office of the Governor*

**Jack Dalrymple**  
*Governor*

**EXECUTIVE ORDER 2016-04**

I, Jack Dalrymple, Governor of the State of North Dakota, by the authority vested in me, do hereby proclaim an emergency exists in Southwest and South Central North Dakota.

**WHEREAS**, an emergency was declared by the Morton County Board of Commissioners on August 15, 2016, due to unlawful activity occurring at the Dakota Access Pipeline construction site, requiring additional manpower, resources and other expenditures; and

**WHEREAS**, the impact of continuing unlawful activity could threaten the health, safety and well-being of the general public, protesters and first responders who are committed to protecting life and property; and

**WHEREAS**, a significant public safety concern is present due to illegal protesting activities which cannot be mitigated with resources on hand; and

**WHEREAS**, the rule of law must be enforced to protect the general public, protesters, and first responders from those who engage in illegal activity; and

**WHEREAS**, our citizens have the right to peacefully and lawfully assemble and protest, and the State of North Dakota is committed to protecting those rights; and

**WHEREAS**, additional state resources are necessary to help relieve conditions of distress that remain hazardous to the safety and welfare of the citizens of North Dakota; and

**WHEREAS**, the cost of response may be in excess of available resources.

**NOW, THEREFORE**, I order total utilization of the North Dakota State Emergency Operations Plan (SEOP) in response to the situation, in order to assist local and tribal officials, to implement appropriate law enforcement actions and future mitigation measures to maintain peace and order, and to limit hardships and impacts caused by the emergency.

This order is issued upon the following basis and for the following reasons:

1. The Governor is vested with the executive authority pursuant to Article V, Section 1 of the North Dakota Constitution; and,
2. The Governor is vested with statutory authority to issue executive orders to minimize or avert the effects of a disaster or emergency pursuant to Chapter 37-17.1 of the North Dakota Century Code; and,
3. A coordinated and effective effort of appropriate government departments is required to minimize the impact of disasters and emergencies in this state; and,
4. Continuing unlawful activity which could threaten the health and safety of our citizens, to which State support is needed to mitigate risk to individuals.

Executed at Bismarck, North Dakota, this 19 day of August, 2016.

  
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Jack Dalrymple  
Governor

Attest:

  
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Secretary of State

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Deputy